

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	John F. Grady	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	99 C 6441	DATE	October 12, 2004
CASE TITLE	Hernandez v. City of Chicago		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

## MOTION:

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## DOCKET ENTRY:

- (1) ☐ Filed motion of [ use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due \_\_\_\_\_.
- (3) ☐ Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4) ☐ Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7) ☐ Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] This case for a status conference on October 27, 2004 at 11:00 a.m, to give the Sheriff's counsel one more opportunity to indicate whether they intend to comply with Rule 54.3. ENTER ORDER.

- (11) [For further detail see order (on reverse side of/attached to) the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	courtroom deputy's initials kam	10000 10011510 'S'N U.S. DISTRICT COURT 2004 OCT 12 PM 5:03 FILED-501	number of notices OCT 13 2004 date docketed 15 docketing deputy initials October 2, 2001 date mailed notice mailing deputy initials	Document Number 250
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EMILIANO HERNANDEZ,

Plaintiff,

v.

CITY OF CHICAGO, a municipal  
corporation, et al.,

Defendants.

No. 99 C 6441

DOCKETED  
OCT 13 2004

MEMORANDUM OPINION AND ORDER

Currently pending before the court is plaintiff's petition for attorneys' fees. Plaintiff also has filed an additional motion requesting a full fee award, citing Sheriff Michael Sheahan's repeated refusal to comply with Local Rule 54.3, which requires the parties to attempt to reach agreement on an appropriate amount and, in the event of disagreement, requires specific objections to specific aspects of the claim for fees.

Exhibit VIII to plaintiff's fee petition is the "Parties' Joint Statement Regarding Attorney Fees." In that statement, the Sheriff asserts: "[Plaintiff's counsel] Mr. Longo complains that the Defendant has not followed the Local Rules regarding specific objections to time entries. Defendant Sheahan submits that neither his counsel, nor the Court, should have to sift through Mr. Longo's claimed fees." (Joint Statement at 6 (emphasis added).)

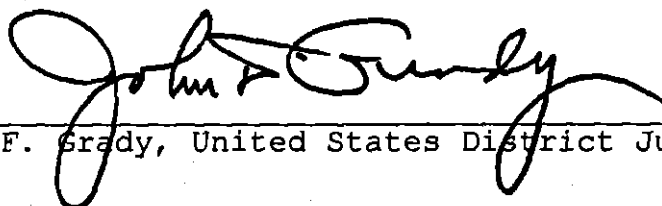
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We suggest that the Sheriff's counsel give careful consideration to this court's recent order in Sears, Roebuck & Co. v. Menard, Inc., No. 01 C 9843 (Sept. 23, 2004), a copy of which is enclosed. Counsel's refusal to do the work required by Rule 54.3 could well have the same result as did similar conduct by Sears, Roebuck and Co. in that proceeding.

We are setting this case for a status conference on October 27, 2004, to give the Sheriff's counsel one more opportunity to indicate whether they intend to comply with Rule 54.3. Our patience with counsel is due entirely to our recognition of the fact that it is not they, but rather the taxpayers of Cook County, who will have to suffer the consequences of counsel's continued defiance of the Rule.

DATE: October 12, 2004

ENTER:

  
John F. Grady, United States District Judge